



ERF 9823, MARINE-WEG 61, WESTCLIFF, HERMANUS, OVERSTRAND MUNISIPALE AREA: AANSOEK VIR AFWYKING: BURMEISTER ARCHITECTS NAMENS THE HERMANUS ESPLANADE DEV CO (PTY) LTD

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) dat 'n aansoek ontvang is vir afwyking ingevolge Artikel 16(2)(b) van die Verordening met verwysing na Artikel 17.1.2.(c) van die Overstrand Munisipaliteit Grondgebruiksbeplanning Skema, 2020 ten einde die verslapping van die parkeerplek vereistes vanaf 86 tot 77 te akkommodeer.

Besonderhede aangaande die voorstel lê ter insae gedurende weksdae tussen 08:00 and 16:30 by die Departement: Stadsbeplanning te Patersonstraat 16, Hermanus.

Enige kommentaar moet skriftelik wees ingevolge die bepalings van Artikels 51 en 52 van die Verordening en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) (loretta@overstrand.gov.za) bereik voor of op **Vrydag, 19 Mei 2023**, met u naam, adres, kontakbesonderhede, belang in die aansoek, en die redes vir kommentaar. Telefoniese navrae kan gerig word aan die **Senior Stadsbeplanner, Me H. Van der Stoep** by 028-3138900. Die Munisipaliteit mag weier om kommentare te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formuleer.

Munisipale Bestuurder, Overstrand Munisipaliteit, Posbus 20, **HERMANUS**, 7200

Munisipale Kennisgewing Nr. 66/2023

ERF 9823, 61 MARINE DRIVE, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: BURMEISTER ARCHITECTS ON BEHALF OF THE HERMANUS ESPLANADE DEV CO (PTY) LTD

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) that an application has been received for departure in terms of Section 16(2)(b) of the By-Law to be read with Section 17.1.2.(c) of the Overstrand Municipality Land Use Scheme, 2020 in order to accommodate the relaxation of the parking bay requirements from 86 to 77.

Details regarding the proposal is available for inspection during weekdays between 08:00 and 16:30 at the Department : Town Planning at 16 Paterson Street, Hermanus.

Any comments must be in writing in terms of the provisions of Sections 51 and 52 of the By-law and reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093/ (e) (loretta@overstrand.gov.za) on or before **Friday, 19 May 2023**, quoting your name, address, contact details, interest in the application and reasons for comment. Telephonic enquiries can be made to the **Senior Town Planner, Ms H. Van der Stoep** at 028-313 8900. The Municipality may refuse to accept comment received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

Municipal Manager, Overstrand Municipality, P.O. Box 20, **HERMANUS**, 7200

Municipal Notice No. 66/2023

ISIZA SAMA-9823, 61 MARINE DRIVE, WESTCLIFF, HERMANUS, KUMMANDLA KAMASIPALA WASE-OVERSTRAND: ISICELO SOKUPHAMBUKA: BURMEISTER ARCHITECTS EGAMENI HERMANUS ESPLANADE DEV CO (PTY) LTD

Isaziso sinikwe ngokuphathelele kwiCandelo lama-48 lomThetho kaMasipala wesiLungiso wase-Overstad kuYilo lokuSetyenziswa koMhlaba kaMasipala , 2020, (UmThetho kaMasipala isicelo esifunyanelwe ukuphambuka ngokuphathelele kwiCandelo le- 16(2)(b) lomThetho kamasipala elifundwa necadelo le- 17.1.2.(c) oYilo lokuSetyenziswa koMhlaba kaMasipala wase-Overstrand, 2020 ukuze kulungiselelwe iimfuneko zokupaka ukusuka kuma- 86 ukuya kuma- 77.

linkcukacha ngokuphathelele kwisindululo esikhoyo sihlolwa ngexesha leentsuku zeveki phakathi kwentsimbi yesi-08:00 ukuya kwi-16:30 kwiSebe : kuCwangciso lweDolophu 16 Paterson Street, eHermanus nakwithala leencwadi laseGansbaai, Main Road, eGansbaai.

Naziphi na izimvo ezibhaliweyo zingangeniswa ngokwezibonelelo zamaSolotyama-51 nama-52 kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) (loretta@overstrand.gov.za) ngoLwesihlanu okanye ngaphambi koLwesihlanu, **19 uMeyi 2023**, ukhankanye igama lakho, idilesi, iinkcukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Imibuzo ngefowuni ingabhekiswa **UMcwangcisi weDolophu oMkhulu, uNksz H van der Stoep** ku-028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda okanye ukubhala angaya kwiCandelo leDolophu apho igosa likamasipala liza kumnceda avakalise izimvo zakhe ngokusemethethweni.

DGI O'Neill, UMLawuli kaMasipala, Masipala waseOverstrand, P.O. Box 20, **HERMANUS**, 7200

Isaziso Sikamasipala No 66/2023



MOTIVATION TO PURCHASE ADDITIONAL PARKING BAYS

ERF 9823, MARINE DRIVE, HERMANUS

In 2022, My Client, the Hermanus Esplanade Development Company (Pty) Ltd, purchased the consolidated site of erf 9823.

An initial site development plan was submitted in 2020 showing a block of flats comprising 39 units and providing 69 parking bays. This scheme was re-designed and re-submitted in 2021 indicating 40 units and providing 72 parking bays including 4 disabled bays. This plan was approved in April 2022.

Subsequently, potential purchasers of the larger units facing Marine Drive opted out of their purchase agreements whilst new potential owners requested smaller units facing Marine Drive. At that stage, the economy was still struggling out of the COVID crisis, so the market dictated smaller units. These smaller units (1 beds) were sold quickly and a new scheme submitted in September comprising 44 units with 77 parking bays including 3 disabled bays.

As per Chapter 17 of the Overstrand Zoning Scheme, with 44 units, comprising of 37 2-bed units and 7 1-bed units, we require 84 bays. We have however split the development into Phase 1 and 2, Phase 1 comprising 30x2-bed units and Phase 2 comprising 7x2-bed units and 7x1-bed units.

In Phase 1, we comply with the parking, as we have 30x2 bed units and 1 bay for the Reception Room, totalling 61 bays. We have 77 bays.

In Phase 2, (our departure application), we have 7x2-bed units and 7x1-bed units requiring a total of 24.5 parking bays. Here we only have 16 parking bays left out of the overall 77, so have a shortfall of 8.5, rounded off to 9 parking bays.

In terms of Chapter 17, item 17.1.2 (c), we wish to apply to pay the Municipality the amount to the value of the parking to be provided in accordance with the GR4 zoning, including the construction cost.

In this regard, we have prepared a schedule of 9 parking bays and our Civils Engineer has prepared a detailed estimate of the Construction Cost. (Attached)

Accordingly, we motivate for a departure from the Zoning Scheme to apply to purchase 9 parking bays.

We motivate as follows:

- 1) We could easily have obtained more parking on the site below the front units on Marine Drive but the Hermanus Heritage Committee insisted we keep the 2 gables and keep the front building lower than the rear units.
- 2) 7 of the units – the 1 beds require 1 ½ bays as per the scheme – which is impossible to allocate (½ bay). Practically the 1 beds should have 1 bay only (how do you allocate ½ bay to anybody?) – that would have reduced our shortage by 3.5 bays to only 5 required.
- 3) 50% of the owners are overseas buyers who fly in and, at worst, hire 1 car between them, so for the most part, the parking area will never be full. Overseas buyers mostly use Uber anyway.
- 4) In the Sale Agreements, most buyers did not want 2 parking bays – most only required 1 bay, so the overall demand for parking was always much less than anticipated.
- 5) The development is within walking distance of virtually all the major amenities in the centre of town so the reliance on vehicles is much less than had the development been a few kilometres away.
- 6) To have an entire basement parking area exposed to Marine Drive was not a consideration. The parking was sunk below ground level to “hide” the parking so that the parking was not a dominant element at all. More parking means more traffic via the servitude which would have put more strain on Harbour Road.

In terms of Section 99 we motivate:

- 1)
 - a. The land use is consistent with the MSDF.
 - b. The proposed land use is highly desirable.
 - c. In altering the development rules, approval of the application would not grant the property the development rules of the next subzone within a zone.
- 2)
 - a. The proposal is consistent with the MSDF.
 - b. The proposal is for a departure to enable less parking bays to be allocated to Phase 2 of the development on erf 9823.
 - c. There is a specific option noted under Chapter 17 – Alternative parking provision – 17.1.2 – (c) in that the Applicant may pay the Municipality the

amount to the value of the parking to be provided in accordance with the zoning

- d. The extent and the “desirability” – more units to the scheme made the entire development viable. Densification in prime land areas is highly desirable especially a development that is on the Marine Drive frontage and adds value to the surrounding properties.
- e. No impact will be on the existing rights. The height restriction and the conditions imposed by Heritage Western Cape dictated the form of the structure/envelope and no existing rights were removed or added.

3)

- a. Economic impact: The proposed usage has had an enormous impact to Hermanus itself, creating employment, upgrading of services as well as creating upmarket units close to the centre of town.
- b. Social impact: The proposed purchasing of parking bays will have no social impact at all.
- c. Scale of capital investment: The scale is extensive in its context. The previous building was closed down and essentially an “eyesore”. The new building has upgraded the entire frontage, retained historical elements and added value to the surrounding neighbours.
- d. Compatibility with surrounding areas: As an upmarket block of flats, it is totally compatible with the neighbours as well as conforms to the Zoning Scheme.
- e. Impact on external engineering services: None – new reticulation and connections have been made in consultation with the local authorities.
- f. Impact on heritage: The proposal was extensively workshopped with both Heritage Western Cape and the Overstrand Aesthetics Committee and approved.
- g. Impact on the biophysical environment: None
- h. Traffic impacts: Parking, access and other transport considerations – This has been workshopped with the Municipality in the first submission which was approved in 2022. 77 bays were shown on that submission and 40 units. All traffic exits into Harbour Road and the new owners have been requested to install a robot system to enable free flow in and out of the servitude. We are however 9 bays short, hence the application for a departure. It is noted that the Municipality “may require that parking be provide for motorcycles and bicycles.” In terms of 17.1.11, we could easily provide 8 motorcycle bays and 12 bicycle parking spaces which could have credited us with another 2 parking bays.

- i. Imposition of conditions to mitigate an adverse impact of the proposed land use: This was certainly done by the Overstrand Heritage Committee in terms of retaining the gables however the Clients were then able to use portions of the existing building closer to the lateral and front boundaries.

In summary, we do not believe there should be any Admin penalty as the Phase 2 units are not occupied and so the parking related to that Phase has not been utilised. Garages are being used as storerooms for the Contractor whilst the Phase 2 work is completed.

In terms of 17.1.2 (c) and 17.1.3, we calculate as follows: 9 bays @ 25m² = 225m²

As we currently have a Civils Contractor on site, Ricardo agreed that we could use the rates applicable to the site. This calculation is attached. Regarding the land value, we submit the following:

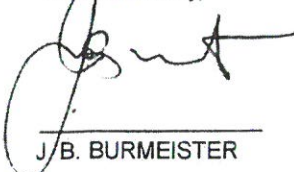
Land price: R20 million
Site area: 2911m²
Bulk factor: 3
Bulk per m²: 8733m²

Therefore value R/bulk/m² = R2290.16m²
9 bays x 25m²/bay = 225m²
Value = 225 x 2290.16 = R515 286.00

If one then adds the land value to the construction cost, the applicable amount to be paid is R616 258.60

Further to this, we request that the advertising be waived for this departure as we are not adding parking or changing the building envelope so buying added parking will have no material effect on the neighbours at all.

Yours Faithfully,



J.B. BURMEISTER

Bruce Burmeister Architects . b . arch uct . m.i.a.
email: bruceburmeisterarchitects@gmail.com



J. B. Burmester
 8 Second Avenue, Claremont 7102
 18 121 11 1100 - 021 224 17 177

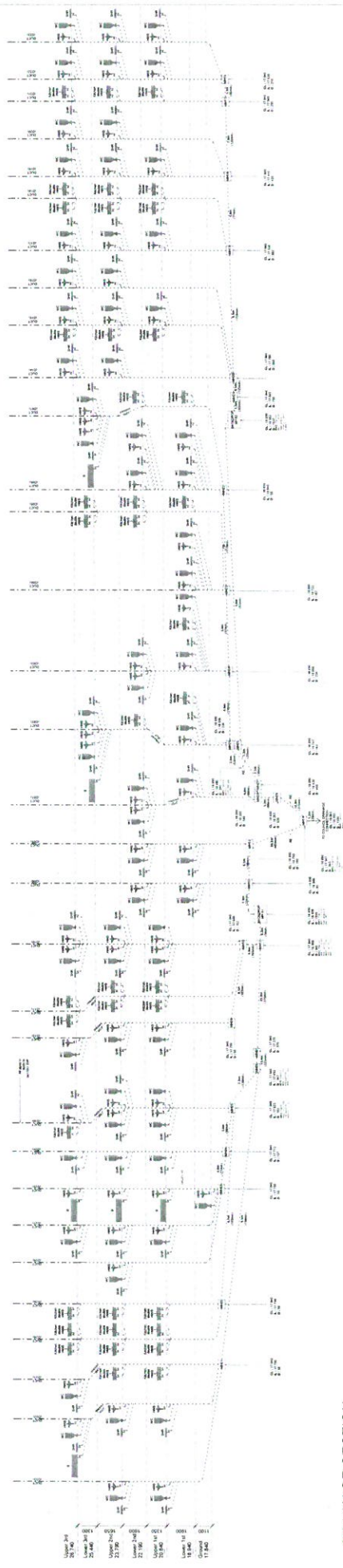
J.M.M. J.B.S.

Hermanus Esplanade

Erf 624 & 642, Marine Drive, Hermanus

SA Council Reg no. 3698
 SA INST. no. 4770

Project number	200/877
Date	10 NOVEMBER 2022
Drawn by	J.S. SA
Drawing Description	FOR COUNCIL
Scale	A0 @ 1:100
Drainage Section	06



DRAINAGE SECTION
 1:100

DRAINAGE TABLE - Manholes

	MH01	MH02	MH03	MH04	MH05	MH06	MH07	MH08	MH09	MH10	MH11	B01	MH12	MH13	MH14	MH15	MH16	MH17	MH18	MH19	MH20	MH21	B02	MH22	MH23	MH24	MH25	MH26	MH27	MH28	MH29	
COVER LEVEL	17,940	17,940	17,940	17,940	17,940	17,940	17,940	17,940	17,940	17,940	17,940	18,900	18,900	18,900	18,900	18,900	18,900	18,900	18,900	18,900	18,900	18,900	18,900	18,900	18,900	18,900	18,900	18,900	18,900	18,900	18,900	18,900
INVERT LEVEL	17,790	17,790	17,790	17,773	17,620	17,460	17,270	17,000	16,690	16,350	15,990	14,800	14,000	13,700	13,497	13,290	13,080	12,870	12,660	12,450	12,240	12,030	11,820	11,610	11,400	11,190	10,980	10,770	10,560	10,350	10,140	9,930
DEPTH	0,150	0,150	0,150	0,167	0,320	0,480	0,670	0,940	1,290	1,590	1,950	4,100	4,900	5,200	5,403	5,610	5,820	6,030	6,240	6,450	6,660	6,870	7,080	7,290	7,500	7,710	7,920	8,130	8,340	8,550	8,760	8,970
GRADIENT	1:40	1:40	1:40	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	1:50	
DISTANCE	0,00m	0,11m	4,60m	5,40m	7,80m	13,40m	22,20m	6,10m	9,30m	0,30m	1,90m	0,50m	24,20m	1,20m	5,10m	7,30m	4,90m	9,50m	6,10m	5,50m	5,90m	7m	3,40m	6,60m	6,10m	3,50m	4,20m	5,30m	19,00m			

GENERAL NOTES

1. All dimensions are in millimetres unless otherwise stated.
2. All work is to be in accordance with the relevant Australian Standards and Codes of Practice.
3. The contractor is to ensure that all work is completed in accordance with the approved plans and specifications.
4. The contractor is to ensure that all work is completed in accordance with the relevant Australian Standards and Codes of Practice.
5. The contractor is to ensure that all work is completed in accordance with the relevant Australian Standards and Codes of Practice.

GROUND STOREY FLOOR SPACE

FLOOR	Unit	Use Area	Balance	TOTAL
GROUND STOREY	101	101	101	101
	102	102	102	102
	103	103	103	103
	104	104	104	104
	105	105	105	105
	106	106	106	106
	107	107	107	107
	108	108	108	108
	109	109	109	109
	110	110	110	110
TOTAL				1100

FIRST STOREY FLOOR SPACE

FLOOR	Unit	Use Area	Balance	TOTAL
FIRST STOREY	201	201	201	201
	202	202	202	202
	203	203	203	203
	204	204	204	204
	205	205	205	205
	206	206	206	206
	207	207	207	207
	208	208	208	208
	209	209	209	209
	210	210	210	210
TOTAL				2100

DATE: 02/07/2021
APPROVED
[Signature]

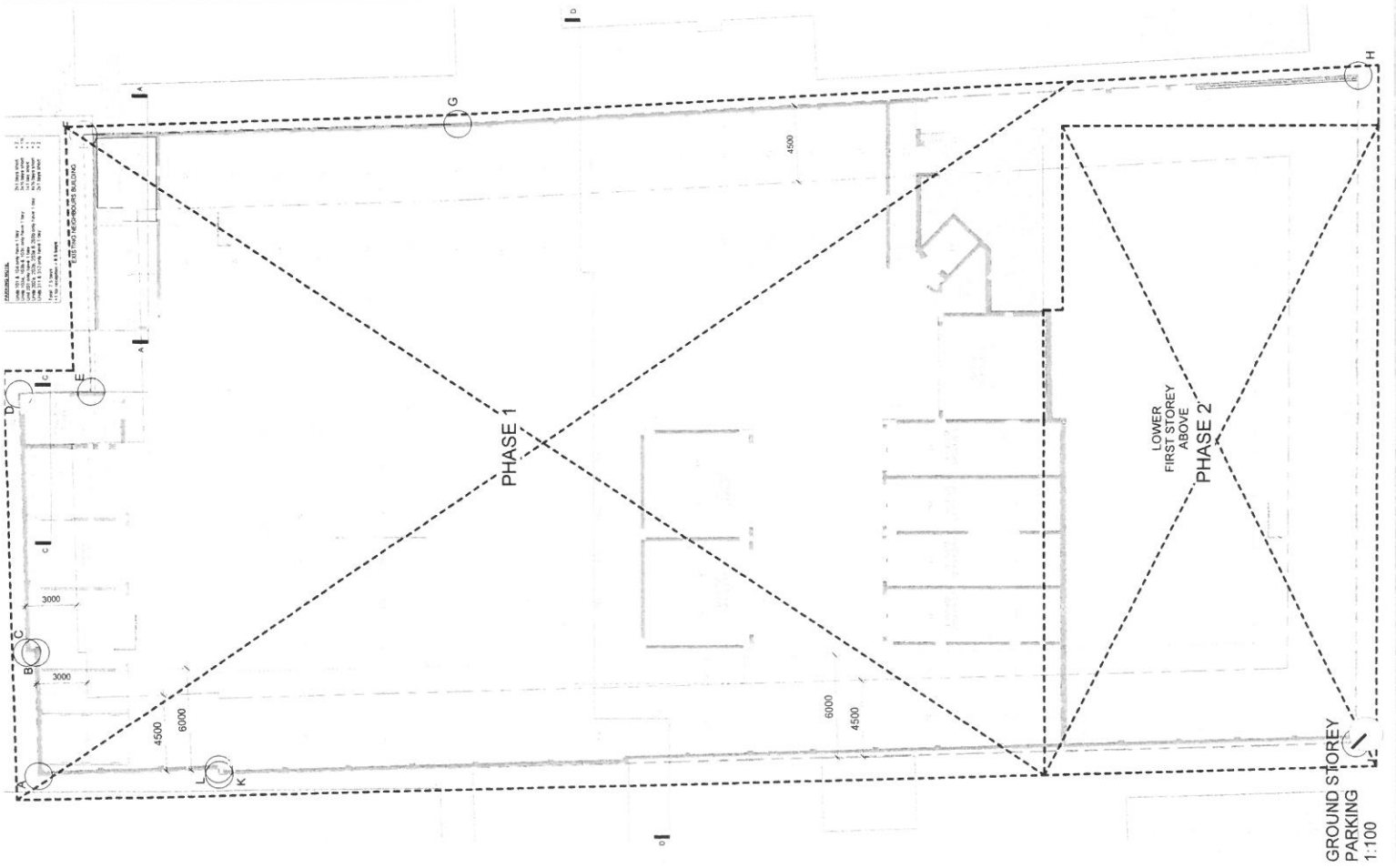
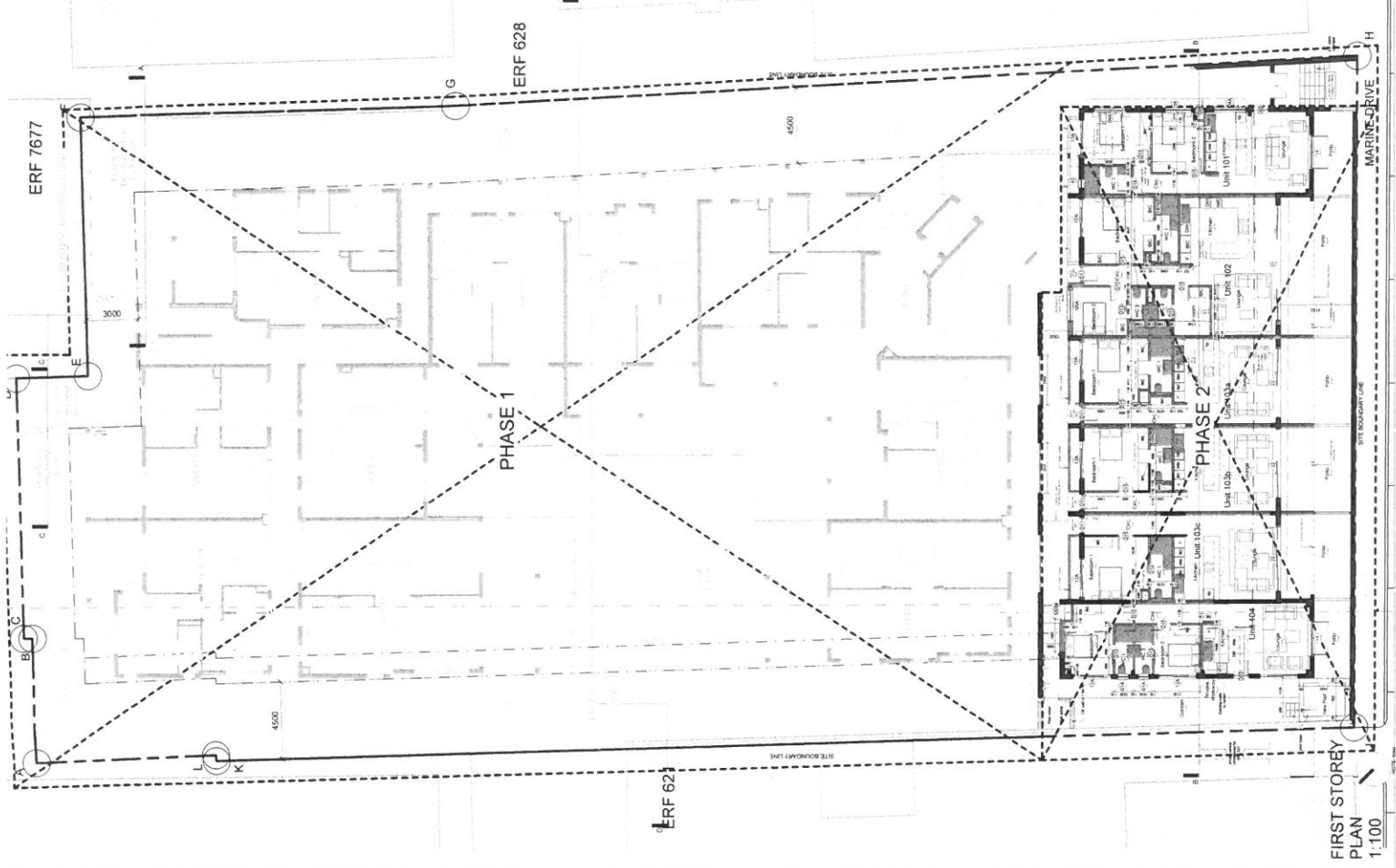
Hermanus Esplanade
 Erf 624 & 642, Marine Drive, Hermanus

Rider Plan to Approved Plan no 42573 of 26/04/2022

SA Council Reg no. 3698
 SA INST. no. 4770

Project Number: 200/877
 Date: 8 DECEMBER 2022
 Drawn by: JS, LB, SA
 Drawing Description: FOR COUNCIL
 Scale: A0 @ 1:100

Ground Storey and First Storey Plan





J. B. Surma & Associates
 29 Second Avenue Claremont 9708
 Tel: 531-615463 Cell: 504-577-8177

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SECOND STOREY FLOOR SPACE

FLOOR	UNIT	No. of Units	Unit Area	Ratio	TOTAL
2	201	1	118	100%	118
	202	1	118	100%	118
	203	1	118	100%	118
	204	1	118	100%	118
	205	1	118	100%	118
	206	1	118	100%	118
	207	1	118	100%	118
	208	1	118	100%	118
	209	1	118	100%	118
	210	1	118	100%	118
	211	1	118	100%	118
	212	1	118	100%	118
TOTAL		12	1416	100%	1416

TOTAL SECOND STOREY FLOOR SPACE 1416

THIRD STOREY FLOOR SPACE

FLOOR	UNIT	No. of Units	Unit Area	Ratio	TOTAL
3	301	1	118	100%	118
	302	1	118	100%	118
	303	1	118	100%	118
	304	1	118	100%	118
	305	1	118	100%	118
	306	1	118	100%	118
	307	1	118	100%	118
	308	1	118	100%	118
	309	1	118	100%	118
	310	1	118	100%	118
	311	1	118	100%	118
	312	1	118	100%	118
TOTAL		12	1416	100%	1416

TOTAL THIRD STOREY FLOOR SPACE 1416

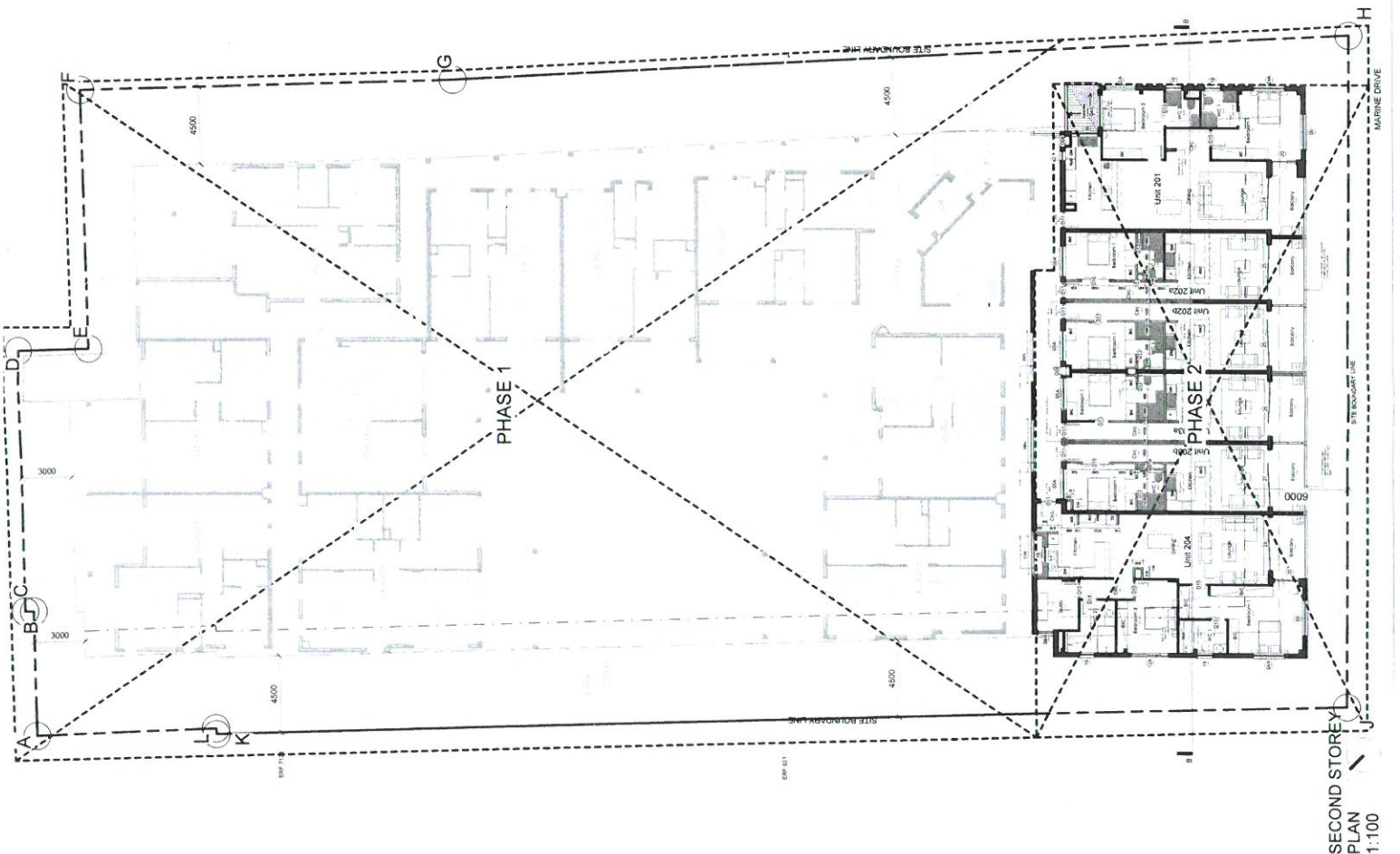
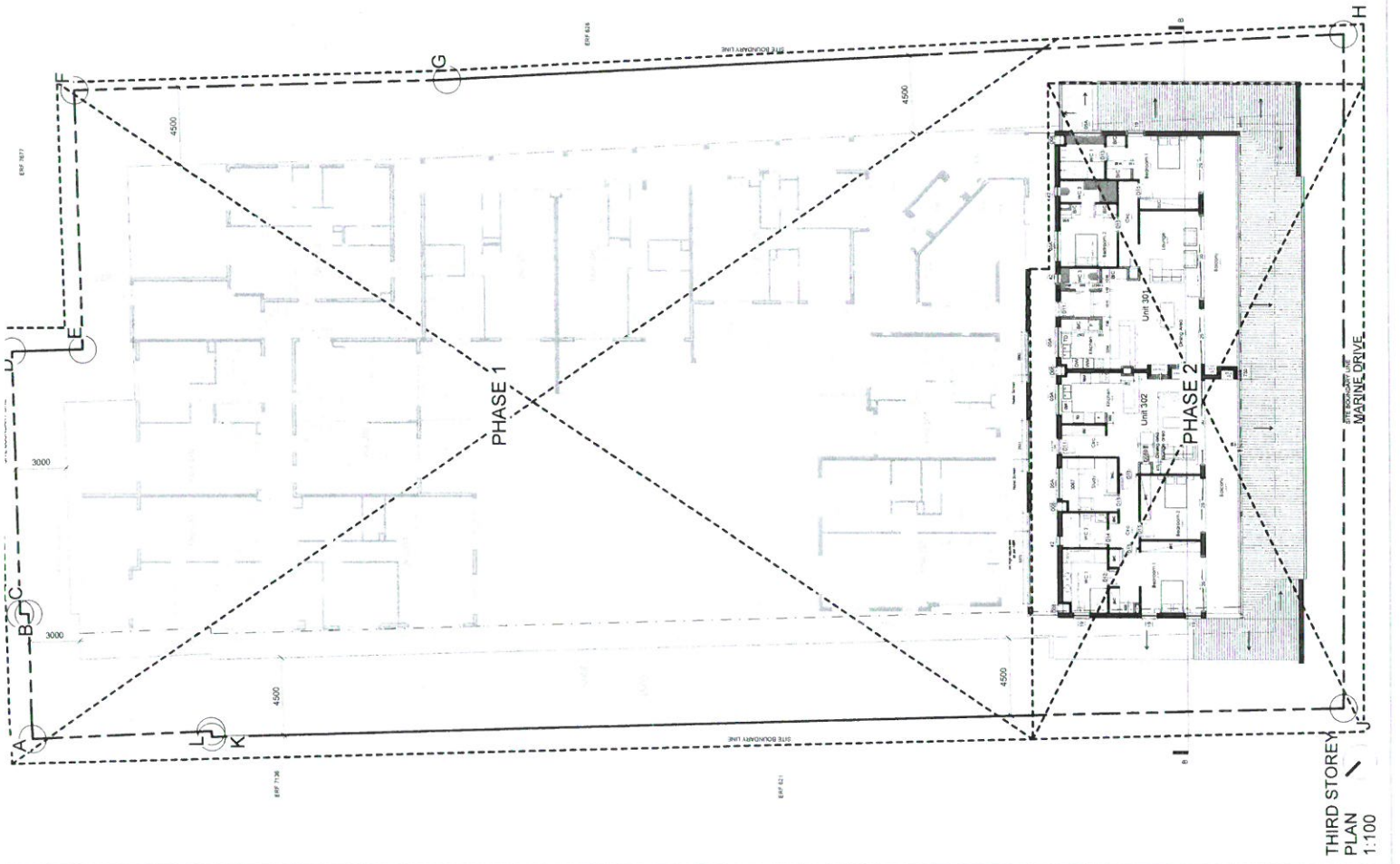
DATE: 02 July 2021
 APPROVED

Hermanus Esplanade
 Erf 624 & 642, Marine Drive, Hermanus

Rider Plan to Approved Plan no 42573 of 26/04/2022
 SA Council Reg no. 3698
 SA INST no. 4770

Project Number: 200/877
 Date: 8 DECEMBER 2022
 Drawn by: JS, LB, SA
 Drawing Description: FOR COUNCIL
 Scale: A0 @ 1:100

Second Storey and Third Storey Plan
 03





J.B. Burmeister
 175 St. Charles Street
 Charleston, SC 29403
 Tel: 803.733.1300 Fax: 803.733.1317



02 JULY 2021
APPROVED

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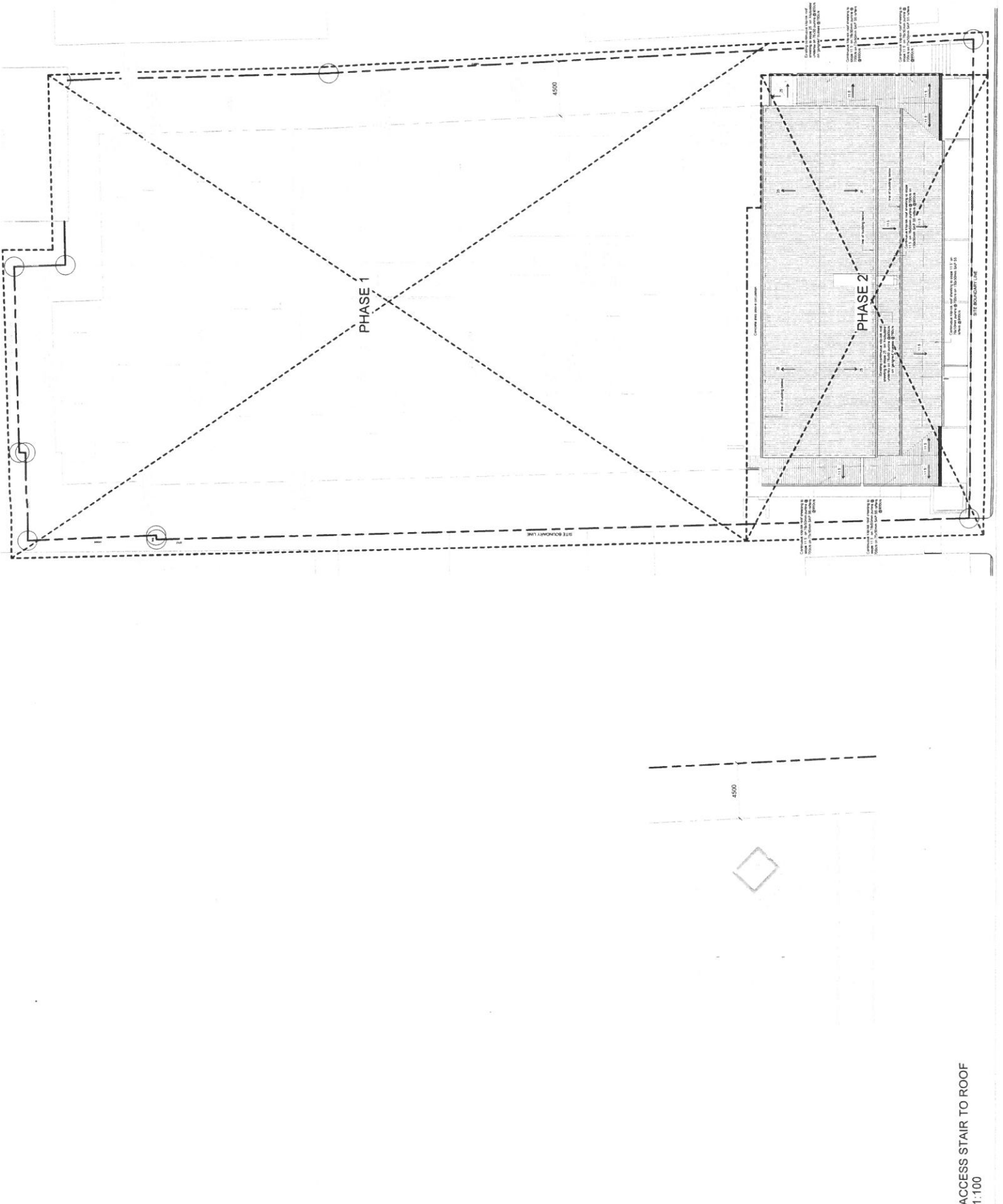
Hermanus Esplanade
 Erf 9823 Marine Drive,
 Hermanus

Rider Plan to Approved Plan
 no 42573 of 26/04/2022

SA Council Reg no. 3698
 SA INST. no. 4770

Project Number 200/877
 Date 8 DECEMBER 2022
 Drawn By LB, SA
 Drawing Description FOR COUNCIL
 Scale 1 : 100

Access stair to roof and Roof
 Plan **04**



ACCESS STAIR TO ROOF
 1:100

NOTES:

- 1) Indicate provide mechanical ventilation... that window or provide windows to ventilator.
- 2) No occupational certificate may be issued unless conditions have been met:
 - a) A GLS capacity report has been submitted and approved.
 - b) A GLS capacity report has been obtained.
 - c) A requirement that random parking is only allowed for 2 bedroom units have been written.
 - d) A service level agreement has been concluded with the municipality for municipal services.
- 3) Drawings and surveyor to be submitted to indicate exact building lines - to be submitted directly to terziboo@overstrand.gov.za.
- 4) Height certificate to be submitted on completion of drawings to terziboo@overstrand.gov.za.

CONDITIONS: (imposed on previous approved plan)

- 1) Indicate provide mechanical ventilation... that window or provide windows to ventilator.
- 2) No occupational certificate may be issued unless conditions have been met:
 - a) A GLS capacity report has been submitted and approved.
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 - c) A requirement that random parking is only allowed for 2 bedroom units have been written.
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02 July 2021
APPROVED

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Hermanus Esplanade
 Erf 624 & 642, Marine Drive, Hermanus

Rider Plan to Approved Plan no 42573 of 26/04/2022

SA Council Reg no. 3698
 SA INST. no. 4770

Project number: 2001877

Date: 8 DECEMBER 2022

Drawn by: JS, LB, SA

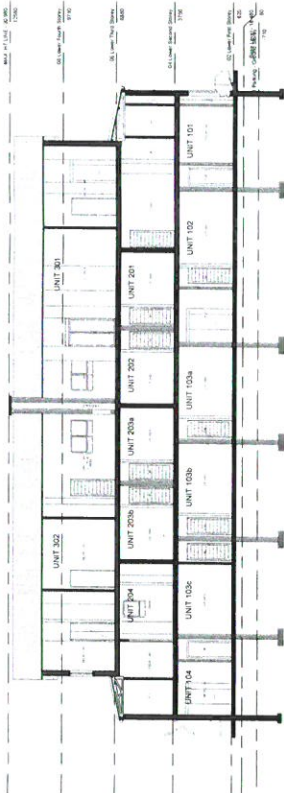
FOR COUNCIL

Scale: A0 @ 1 : 100

Sections and South-West Elevation

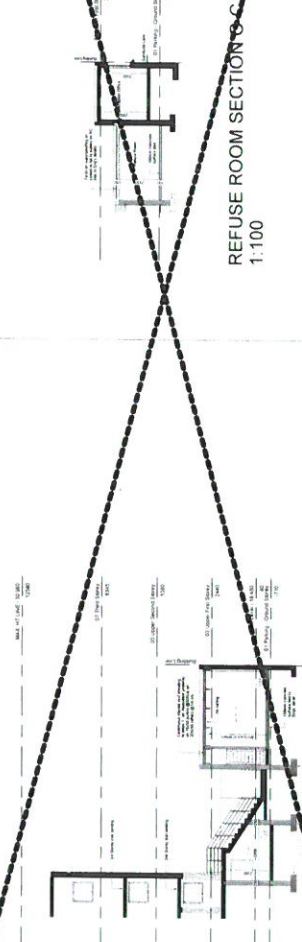
05

PHASE 2



FRONT UNITS SECTION B-B
 Cross Section through front units facing Marine Drive
 1:100

PHASE 1



TANK ROOM SECTION A-A
 Section through tank room and staircase
 1:100

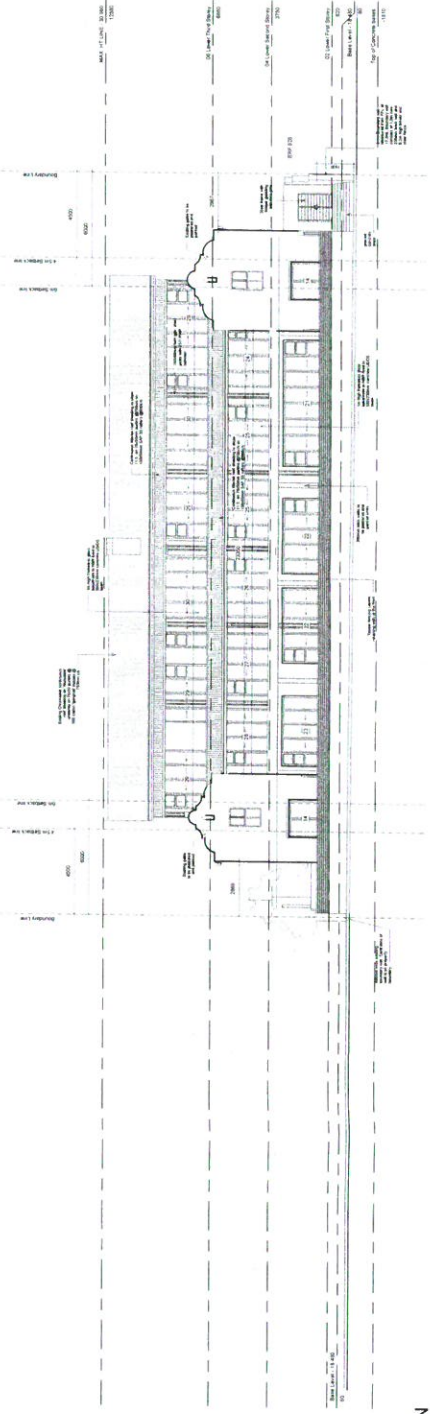
SECTION THROUGH MAIN POOL D-D
 1:100



SECTION THROUGH POOL OF UNIT 104 E-E
 1:100



PHASE 2



SOUTH-WEST ELEVATION
 1:100

NOTE: Dimensions of boundary wall is measured from top of wall to NSL